

REMARKS

Claims 1-24 are pending. By this Amendment, claims 23 and 24 are added.

In reply to the Restriction Requirement, Applicants provisionally elect Group I, claims 1-4 and 12-15. Applicants also assert that claims 23 and 24 read on the elected Group I because the claims include steps drawn to a method and apparatus for adaptively starting an engine.

It is respectfully submitted that the subject matter of all groups is sufficiently related that a thorough search for the subject matter of the elected group would encompass a search for the subject matter of the remaining group. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicants and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-24 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Restriction Requirement be withdrawn.

Respectfully submitted,



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